

# **EXHIBIT A**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TENNESSEE  
WESTERN DIVISION**

**JESSICA JONES, et al.,**

Plaintiffs,

v.

**VARSITY BRANDS, LLC, et al.**

Defendants.

Case No. 2:20-cv-02892-SHL-tmp

**JURY DEMAND**

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**PLAINTIFFS' REPLY IN SUPPORT OF MOTION FOR LEAVE TO FILE LATE-  
PRODUCED DOCUMENT IN OPPOSITION TO SUMMARY JUDGMENT**

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Plaintiffs Jessica Jones and Christina Lorenzen (“Plaintiffs”), on reply in support of their Motion for Leave to File Late-Produced Document in Opposition to Summary Judgment, ECF No. 523, respectfully request that the Court consider the following facts:

1. Defendant Charlesbank Capital Partners, LLC (“Charlesbank”) did not produce the website version of the case study previously cited by Plaintiffs. *See* ECF No. 102-1 at 15, n. 11. As such, the previously cited webpage was not Bates-stamped.
2. The previously cited webpage has been missing from Charlesbank’s website since September 2022. *See* ECF No. 527 at 1, n. 1.
3. Since the previously cited webpage was not Bates-stamped and is no longer available on Charlesbank’s website, it would have been susceptible to challenge on summary judgment regarding its authenticity.
4. The “five different versions” of the case study which Charlesbank did produce are drafts. ECF No. 527, ¶ 4. They are similar to the website version, but they are not the same. *See id.* As shown by the email exchange between counsel, Plaintiffs asked to be “direct[ed] . . . to the final version of the case study” that had been produced in this litigation. ECF No. 528, Ex. F at 4. Charlesbank produced the document Bates-stamped CB00546529 for the first time on October 6, 2023. *See* ECF No. 523, ¶ 7.
5. The document Bates-stamped CB00546529 is the only document with the unique combination of having been both produced in this litigation and confirmed to be “what was on [Charlesbank’s] website.” *Id.*; *see also* ECF No. 528, ¶ 6. No other document in the production can serve as a substitute.

Dated: November 21, 2023

Respectfully submitted,

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